

1 SENATE JOINT MEMORIAL 8

2 **48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008**

3 INTRODUCED BY

4 Mary Kay Papen

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7
8 FOR THE WATER AND NATURAL RESOURCES COMMITTEE

9
10 A JOINT MEMORIAL

11 REQUESTING THE OFFICE OF THE STATE ENGINEER AND THE
12 ADMINISTRATIVE OFFICE OF THE COURTS TO CONTINUE TO EXPLORE WAYS
13 TO IMPROVE AND EXPEDITE THE WATER RIGHTS ADJUDICATION PROCESS.
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15 WHEREAS, significant money has been appropriated for the
16 adjudication of water rights; and

17 WHEREAS, water rights are a form of property right and the
18 determination of the elements of water rights through water
19 rights adjudications promotes an efficient market for such
20 rights; and

21 WHEREAS, the determination of the elements of water rights
22 through water rights adjudications also promotes other policy
23 goals, including the ability of the state engineer to supervise
24 the apportionment of the state's waters, conservation and
25 compliance with compacts and the federal Endangered Species Act

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1 of 1973; and

2 WHEREAS, water rights adjudications involve thousands of
3 water rights claimants and are consequently complex, expensive
4 and divisive; and

5 WHEREAS, the office of the state engineer and the
6 administrative office of the courts have been exploring ideas
7 for improving the water rights adjudication process;

8 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
9 STATE OF NEW MEXICO that the office of the state engineer and
10 the administrative office of the courts be requested to
11 continue to explore ways to improve and expedite the water
12 rights adjudication process; and

13 BE IT FURTHER RESOLVED that the office of the state
14 engineer and the administrative office of the courts report
15 their progress to the appropriate committee of the legislature
16 by December 1, 2008; and

17 BE IT FURTHER RESOLVED that copies of this memorial be
18 transmitted to the state engineer and the chief justice of the
19 state supreme court.